UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

KATE CONNOR DONNELLY,

     Plaintiff,

v.   Case No. 8:20-cv-614-CPT

ANDREW SAUL,
Commissioner of Social Security,

     Defendant.
_____/

O R D E R

     Before the Court is the Commissioner's *Unopposed Motion for Entry of Judgment with Remand*. (Doc. 26). By way of his motion, the Commissioner seeks an Order remanding this case pursuant to sentence four of 42 U.S.C. § 405(g). In support of this request, the Commissioner states:

> On remand, the Appeals Council will instruct the ALJ to update the medical evidence of record, as needed; obtain supplemental vocational expert testimony in accordance with Social Security Ruling 00-4p; take any other action necessary to complete the administrative record; offer Plaintiff an opportunity for a hearing; and issue a decision.

Id. at 1. The Commissioner advises that the Plaintiff does not object to the sought-after remand. *Id.*

Sentence four of section 405(g) provides that "[t]he court shall have power to enter, upon the pleadings and transcript of the record, a judgment affirming, modifying, or reversing the decision of the Commissioner . . . with or without remanding the cause for a rehearing." 42 U.S.C. § 405(g). In a sentence four remand, the appropriate procedure requires the court to enter a final judgment in the plaintiff's favor. *Shalala v. Schaefer*, 509 U.S. 292, 296-97 (1993).

Accordingly, it is hereby ORDERED:

1. The Commissioner's *Unopposed Motion for Entry of Judgment with Remand* (Doc. 26) is granted.

2. The Commissioner's decision is reversed and remanded for further proceedings before the Commissioner consistent with this Order.

3. The Clerk of Court is directed to enter Judgment in the Plaintiff's favor and to close the case.

4. The matter of attorney's fees and costs shall be addressed upon further motion.

DONE and ORDERED in Tampa, Florida, this 11th day of February 2021.

HONORABLE CHRISTOPHER P. TUITE
United States Magistrate Judge

Copies to:
Counsel of record